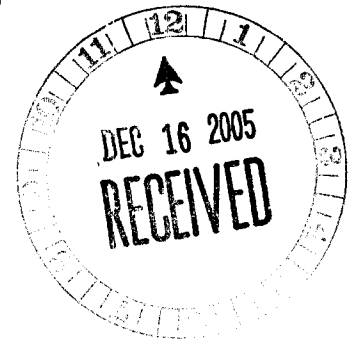




2153 69



December 15, 2005

VIA U.P.S. OVERNIGHT

Surface Transportation Board
Section of Environmental Analysis
1925 "K" St., N.W., Room 504
Washington, DC 20423-0001

**ENTERED
Office of Proceedings**

DEC 16 2005

**Part of
Public Record**

Attention: Victoria Rutson

**RE: Docket No. AB-33(Sub-No.175X), Union Pacific Railroad Company
- Abandonment Exemption - - In Hamilton County, Iowa
(Ellsworth Industrial Lead)**

Dear Ms. Rutson:

Enclosed for filing in the above-referenced docket is the original and ten (10) copies of a Combined Environmental and Historic Report prepared pursuant to 49 C.F.R. §1105.7 and §1105.8, with a Certificate of Service, and a transmittal letter pursuant to 49 C.F.R. §1105.11.

Union Pacific anticipates filing a Petition for Exemption in this matter on or after January 5, 2005.

Sincerely,

Enclosures

O:\ABANDONMENTS\33-175X\STB-EHR.doc

Mack H. Shumate, Jr.
Senior General Attorney, Law Department

UNION PACIFIC RAILROAD
101 N. Wacker Dr., Rm. 1920, Chicago, IL 60606-1718
ph. (312) 777-2055 fx. (312) 777-2065

bcc: w/ Enclosures

Ray Allamong, Mailstop 1350
Lynda Prucha, Mailstop 1580
Joe Bateman, Mailstop 1560

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No. 175X)

UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN HAMILTON COUNTY, IOWA
(ELLSWORTH INDUSTRIAL LEAD)

ENTERED
Office of Proceedings

DEC 16 2005

Part of
Public Record

Combined Environmental and Historic Report

UNION PACIFIC RAILROAD COMPANY

Mack H. Shumate, Jr., Senior General Attorney
101 North Wacker Drive, Room 1920
Chicago, Illinois 60606
(312) 777-2055
(312) 777-2065 FAX

Dated: December 15, 2005
Filed: December 16, 2005

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No. 175X)

UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN HAMILTON COUNTY, IOWA
(ELLSWORTH INDUSTRIAL LEAD)

Combined Environmental and Historic Report

Union Pacific Railroad Company ("UP") submits this Combined Environmental and Historic Report pursuant to 49 C.F.R. § 1105.7(e) and 49 C.F.R. § 1105.8(d), respectively, for an exempt abandonment of the Ellsworth Industrial Lead from M. P. 0.0 near Jewell to the end of the track at M. P. 3.2 at Ellsworth, a distance of 3.2 miles in Hamilton County, Iowa (the "Line").

The Line traverses U. S. Postal Service Zip Codes 50075 and 50130. A Notice of Exemption to abandon the Line pursuant to 49 C.F.R. § 1152.50 (no local traffic for at least two years) will be filed on or after January 5, 2005.

A map of the Line marked **Attachment No. 1** is attached hereto and hereby made part hereof. UP originally considered abandoning the Ellsworth Industrial Lead in 2001, sent letters announcing the proposed abandonment to federal, state and local government agencies and requested their inputs at that time. Several agencies responded. In 2005, UP again sent letters to federal, state and local government

agencies referring to the 2001 letter and asking for new input as well as any revisions to input provided in 2001. UP's 2001 and 2005 letters to the agencies are marked **Attachment No. 2 and Attachment No. 3**, respectively, and are attached hereto and hereby made a part hereof. Responses received to UP's letters to date are attached and sequentially numbered as indicated below.

ENVIRONMENTAL REPORT
49 C.F.R. § 1105.7(e)

(1) **Proposed action and alternatives.** Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.

Response: The proposed action involves the abandonment of the Ellsworth Industrial Lead from M. P. 0.0 to M. P. 3.2, for a distance of 3.2 miles in Hamilton County, Iowa (the "Line").

The Line was constructed in 1880 by the Toledo and Northwestern Railway. It is constructed with 90-pound welded rail.

After abandonment, the closest rail line would be Union Pacific at Jewell, approximately three miles west of Ellsworth on state highway 175, an east-west route. Route 175 also connects to Interstate 35, a major north-south route, on the east side of Ellsworth.

There are no shippers on the Line, and no commodities have originated or terminated on the Line for over two years. There is no overhead traffic over the Line.

Based on information in the UP's possession, the Line proposed for abandonment does not contain federally granted right-of-way.

A map of the Line is attached hereto as **Attachment No. 1**.

(2) **Transportation System.** Describe the effects of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.

Response: There will be no effect on regional or local transportation systems and patterns and no diversion of traffic to other transportation systems or modes.

(3) **Land Use.**(i) Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.

(ii) Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land.

(iii) If the action effects land or water uses within a designated coastal zone, include the coastal zone information required by 49 C.F.R. § 1105.9.

(iv) If the proposed action is an abandonment, state whether or not the right-of-way is suitable for alternative public use under 49 U.S.C. § 10905 and explain why.

Response: (i) UP is unaware of any adverse effects on local and existing land use plans. The Hamilton County Board of Supervisors' Office has been contacted, and in 2001 the Hamilton County Engineer stated the proposed abandonment was not inconsistent with existing land use plans. No further update has been provided in response to the 2005 letter. The County Engineer's response is attached as **Attachment No. 4**, and is hereby made part hereof.

(ii) The Natural Resource Conservation Service has been contacted, and the State of Iowa Department of Natural Resources Office stated that they had found no site-specific records of rare species or significant natural communities that would be impacted by the proposed abandonment. The Iowa Department of Natural Resources' response is attached as **Attachment No. 5** and is hereby made part hereof.

(iii) Not Applicable.

(iv) The property proposed for abandonment is not suitable for public purposes such as roads, highways, or other forms of mass transportation, conservation, energy production or transmission, because the area is adequately served by existing roads and utility lines.

(4) **Energy.** (i) Describe the effect of the proposed action on transportation of energy resources.

(ii) Describe the effect of the proposed action on recyclable commodities.

(iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why.

(iv) If the proposed action will cause diversions from rail to motor carriage of more than:

(A) 1,000 rail carloads a year, or

(B) an average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given.

Response: (i) There are no effects on the transportation of energy resources in view of the absence of rail shipments on the Line.

(ii) There are no recyclable commodities moved over the Line.

(iii) There will be no change in energy consumption from the abandonment.

(iv)(A)(B) There will be no rail-to-motor diversion.

(5) **Air.** (i) If the proposed action will result in either:

(A) an increase in rail traffic of at least 100% (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal, or

(B) an increase in rail yard activity of at least 100% (measured by carload activity), or

(C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions. For a proposal under 49 U.S.C. §10901 (or §10505) to construct a new line or reinstitute service over a previously abandoned line, only the eight train a day provision in §§(5)(i)(A) will apply.

Response: There is no such effect anticipated.

(5) **Air.** (ii) If the proposed action affects a class 1 or nonattainment area under the Clean Air Act, and will result in either:

(A) an increase in rail traffic of at least 50% (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line, or

(B) an increase in rail yard activity of at least 20% (measured by carload activity), or

(C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by the State Implementation Plan. However, for a rail construction under 49 U.S.C. §10901 (or 49 U.S.C. §10505), or a case involving the reinstitution of service over a previously abandoned line, only the three train a day threshold in this item shall apply.

Response: There will be no increase in rail traffic, rail yard activity, or truck traffic as a result of the proposed action.

(5) **Air.** (iii) If transportation of ozone depleting materials (such as nitrogen oxide and freon) is contemplated, identify: the materials and quantity; the frequency of service; safety practices (including any speed restrictions); the applicant's

safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.

Response: The proposed action will not affect the transportation of ozone depleting materials.

(6) **Noise.** If any of the thresholds identified in item (5)(i) of this section are surpassed, state whether the proposed action will cause:

(i) an incremental increase in noise levels of three decibels Ldn or more or

(ii) an increase to a noise level of 65 decibels Ldn or greater. If so, identify sensitive receptors (e.g., schools, libraries, hospitals, residences, retirement communities, and nursing homes) in the project area and quantify the noise increase for these receptors if the thresholds are surpassed.

Response: Not applicable.

(7) **Safety.** (i) Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad grade crossings).

(ii) If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills; and the likelihood of an accidental release of hazardous materials.

(iii) If there are any known hazardous waste sites or sites where there have been known hazardous materials spills on the right-of-way, identify the location of those sites and the types of hazardous materials involved.

Response: (i) The proposed action will have no detrimental effects on public health and safety.

(ii) The proposed action will not affect the transportation of hazardous materials.

(iii) There are no known hazardous material waste sites or sites where known hazardous material spills have occurred on or along the subject right-of-way.

(8) **Biological resources.** (i) Based on consultation with the U.S. Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.

(ii) State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

Response: (i) The U. S. Fish and Wildlife Service has been contacted.

In 2001 the Fish and Wildlife Service stated they did not have any concerns regarding the proposed abandonment. To date UP has received no update or response to our 2005 letter. The Fish and Wildlife Service's response is attached as **Attachment No. 6** and is hereby made part hereof.

(ii) The National Park Service has been contacted. To date UP has received no response.

(9) **Water.** (i) Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies.

(ii) Based on consultation with the U.S. Army Corps of Engineers, state whether permits under section 404 of the Clean Water Act (33 U.S.C. § 1344) are required for the proposed action and whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.

(iii) State whether permits under section 402 of the Clean Water Act (33 U.S.C. § 1342) are required for the proposed action. (Applicants should contact the U.S. Environmental Protection Agency or the state environmental protection or equivalent agency if they are unsure whether such permits are required.)

Response: (i) The Iowa Department of Natural Resources has been contacted. To date, UP has received no response.

(ii) The U.S. Army Corps of Engineers has been contacted.

In 2001 the Corps of Engineers determined the proposed abandonment did not require a Section 404 permit, and no update was provided in response to UP's 2005 letter. The Corps of Engineers response is attached as **Attachment No. 7**, and is hereby made part hereof.

(iii) It is not anticipated that there will be any requirements for Section 402 permits.

(10) **Proposed Mitigation.** Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

Response: There are no known adverse environmental impacts.

HISTORIC REPORT
49 C.F.R. § 1105.8(d)

(1) A U.S.G.S. topographic map (or an alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action:

Response: See **Attachment No. 1**.

(2) A written description of the right-of-way (including approximate widths to the extent known), and the topography and urban and/or rural characteristics of the surrounding area:

Response: The right-of-way is generally 100 feet in width and is adjacent to very good agricultural land. The topography varies from level to hilly. The towns of Ellsworth and Jewell are at each end of the abandonment with no other stations on the Line.

(3) Good quality photographs (actual photographic prints, not photocopies) of railroad structures on the property that are 50 years old or older and of the immediately surrounding area:

Response: Photographs of the two bridges affected by the proposed abandonment which are over fifty years in age were sent to the Iowa State Historical Preservation Officer. Copies of these photographs are attached as **Attachment No. 8**, and are hereby made part hereof.

(4) The date(s) of construction of the structure(s), and the date(s) and extent of any major alterations to the extent such information is known:

Response: Construction dates for applicable bridges are shown on **Attachment No. 1**.

(5) A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action:

Response: See UP's response to question (1) in the Environmental Report for a brief history and description. The Line has been out of service since 2000.

(6) A brief summary of documents in the carrier's possession, such as engineering drawings, that might be useful in documenting a structure that is found to be historic:

Response: Not Applicable.

(7) An opinion (based on readily available information in the UP's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 C.F.R. § 60.4), and whether there is a likelihood of archeological resources or any other previously unknown historic properties in the project area, and the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities):

Response: At this time, UP knows of no historic sites or structures or archeological resources in the project area.

(8) A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental

conditions (naturally occurring or manmade) that might affect the archeological recovery of resources (such as swampy conditions or the presence of toxic wastes), and the surrounding terrain:

Response: UP does not have any such readily available information.

(9) Within 30 days of receipt of the historic report, the State Historic Preservation Officer may request the following additional information regarding specified nonrailroad owned properties or groups of properties immediately adjacent to the railroad right-of-way. Photographs of specified properties that can be readily seen from the railroad right-of-way (or other public rights-of-way adjacent to the property) and a written description of any previously discovered archeological sites, identifying the locations and type of the site (i.e., prehistoric or native American):

Response: Not applicable.

Dated this 15th day of December, 2005.

Respectfully submitted,



UNION PACIFIC RAILROAD COMPANY
Mack H. Shumate, Jr., Senior General Attorney
101 North Wacker Drive, Room 1920
Chicago, Illinois 60606
(312) 777-2055
(312) 777-2065 FAX

CERTIFICATE OF SERVICE
OF THE
COMBINED ENVIRONMENTAL AND HISTORIC REPORT

The undersigned hereby certifies that a copy of the foregoing Combined Environmental and Historic Report in Docket No. AB-33 (Sub-No. 175X), the Ellsworth Industrial Lead in Hamilton County, Iowa was served by first class mail on the 15th day of December, 2005 on the following:

State Clearinghouse (or alternate):

Mr. Steven R. McCann
Division for Community Progress
Iowa Department of Economic Development
200 East Grand Avenue
Des Moines, IA 50309

State Environmental Protection Agency:

Department of Natural Resources
Henry A. Wallace State Office Building
502 E. 9th Street
Des Moines, IA 50319-0034

State Coastal Zone Management Agency
(if applicable):

Not applicable.

Head of each County:

Hamilton County Board of Supervisors
2300 Superior Street
County Courthouse
Webster City, IA 50595-3158

Environmental Protection Agency
(regional office):

U.S. Environmental Protection Agency
Region VII
901 North 5th Street
Kansas City, KS 66101

U.S. Fish and Wildlife:

U.S. Fish & Wildlife Service, Region 3
One Federal Drive
Federal Building
Fort Snelling, MN 55111

U.S. Army Corps of Engineers:

U.S. Army Engineer District, Rock Island
Clock Tower Building
P. O. Box 2004
Rock Island, IL 61204-2004

National Park Service:

National Park Service
Midwest Region
1709 Jackson Street
Omaha, NE 68102

U.S. Natural Resources Conservation Service:

Natural Resource Conservation Service
693 Federal Bldg.
210 Walnut Street
Des Moines, IA 50309-2180

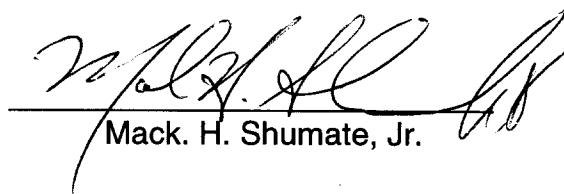
National Geodetic Survey:

National Geodetic Survey
Edward J. McKay, Chief
Spatial Reference System Division
NOAA N/NGS2
1315 E-W Highway
Silver Spring, MD 20910-3282

State Historic Preservation Office:

State Historical Society of Iowa
Attn: R&C Coordinator
600 East Locust Street
Des Moines, IA 50319-0290

Dated this 15th day of December, 2005.


Mack. H. Shumate, Jr.



November 28, 2005

State Historical Society of Iowa
Attn: R&C Coordinator
600 East Locust Street
Des Moines, IA 50319-

Re: Proposed Abandonment of the Ellsworth Industrial Lead from Milepost 0.0 to Milepost 3.20, a distance of 3.2 miles in Hamilton County, Iowa; STB Docket No. AB-33 (Sub-No. 175X)

Dear Sir:

Enclosed for your review are four photographs of each of the two bridges located on the Ellsworth Industrial Lead, which are over 50 years old along with a map of the proposed abandonment. The bridges are described as follows:

<u>Milepost</u>	<u>Description</u>	<u>Length</u>	<u>Year Constructed</u>
1.56	Timber Pile Trestle	63' 7"	1941
2.39	Deck Plate Girder	225' 0"	1905

Please advise if you believe there is historical significance to any of the bridges.
Thank you for your assistance.

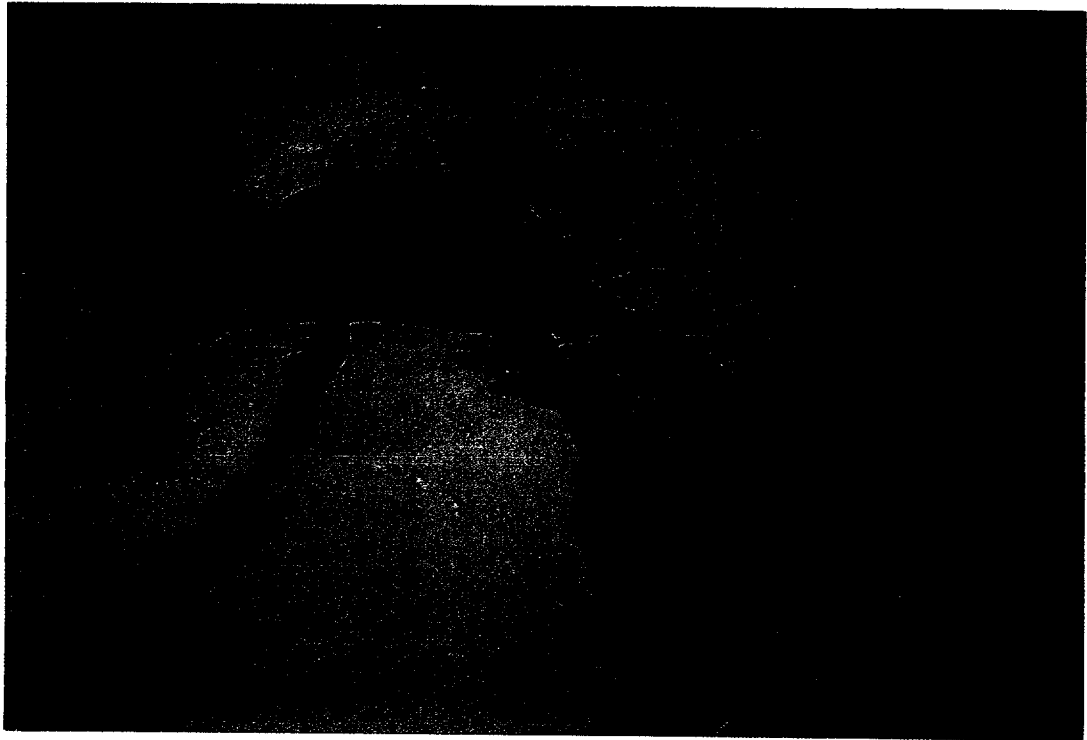
Sincerely,

Charles W. Saylor
Charles W. Saylor
(402) 544-4861

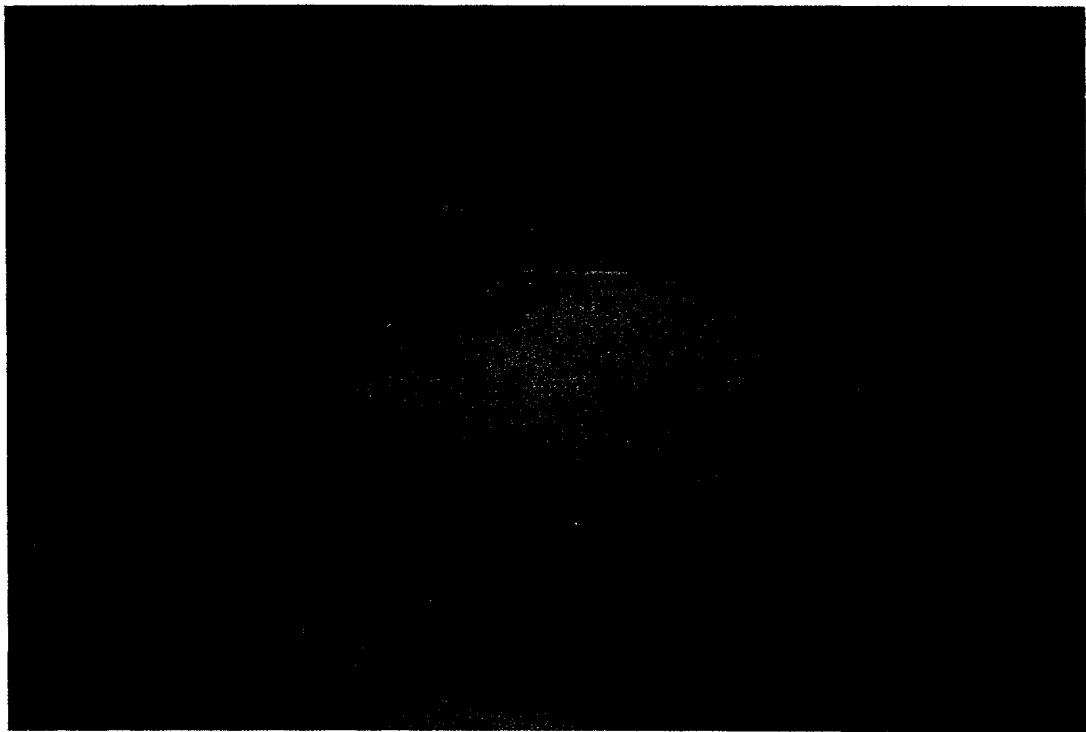
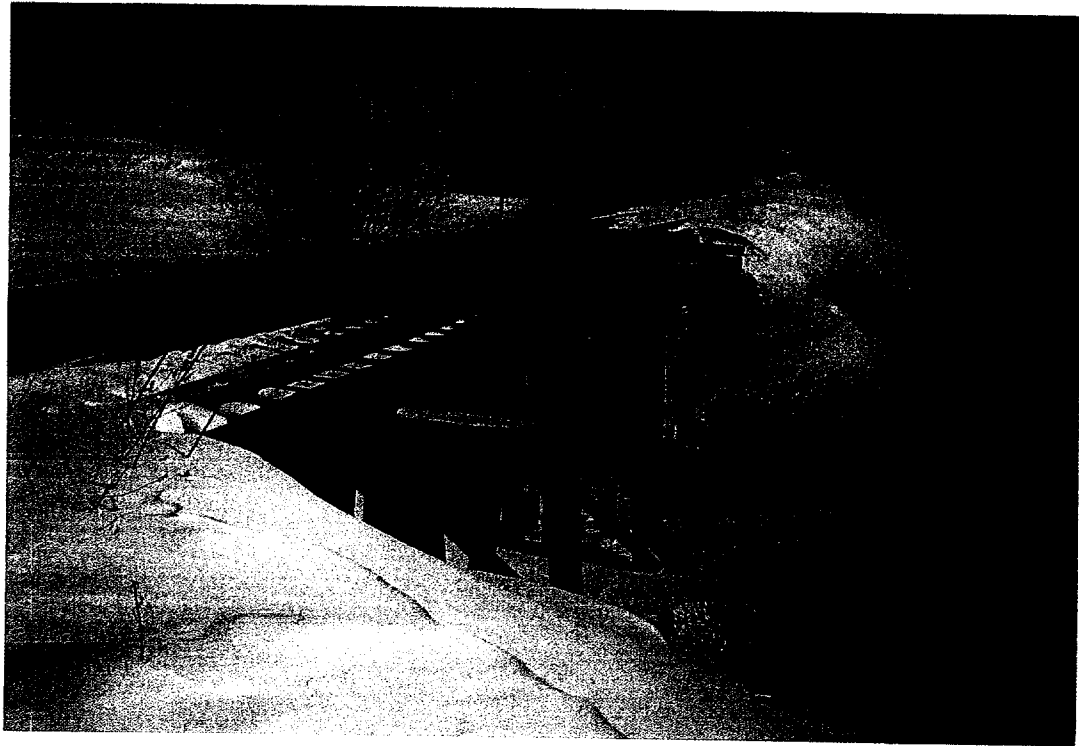
Attachments

Law Department

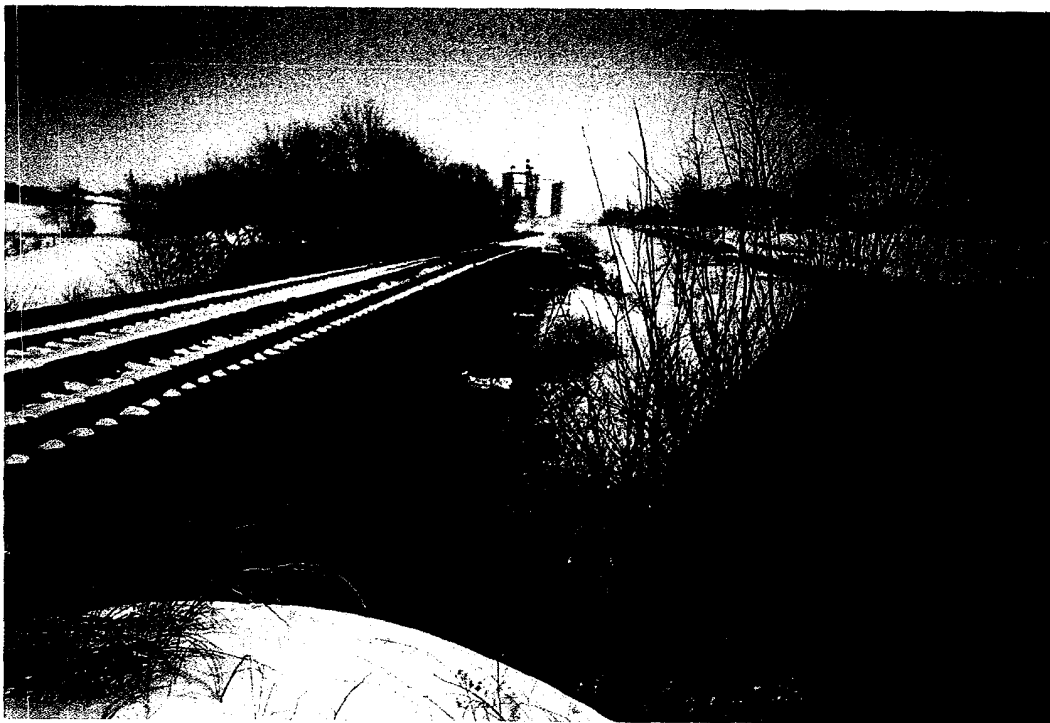
UNION PACIFIC RAILROAD
1400 Douglas St., Stop 1580, Omaha, NE 68179-1580
fx. (402) 501-0127

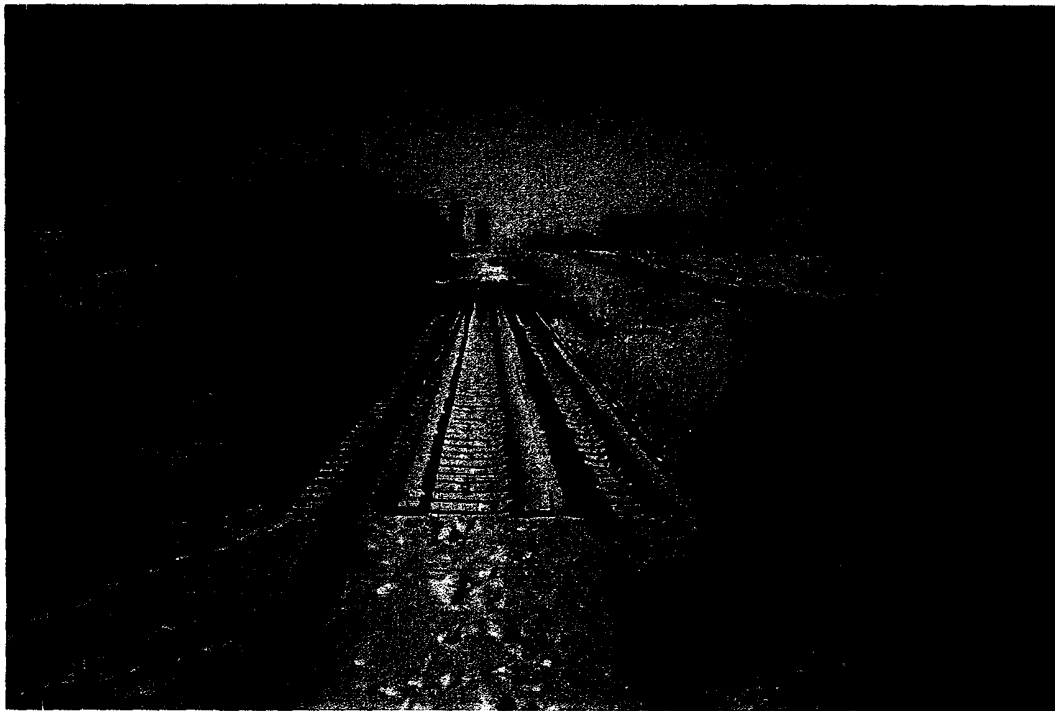


M.P. 1.56



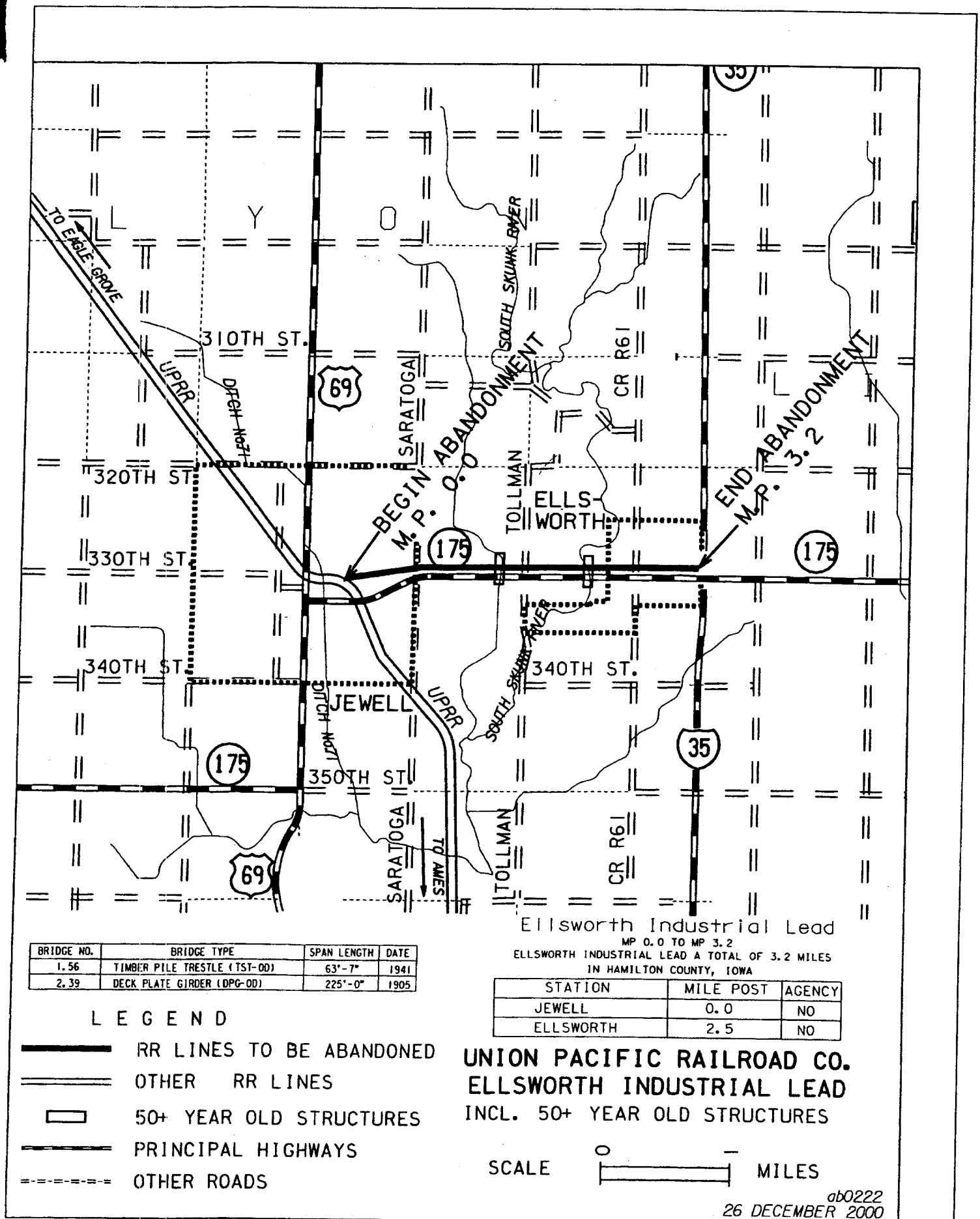
M.P. 1.56





17

M.P. 2.39



UNION PACIFIC RAILROAD COMPANY
ENVIRONMENTAL MANAGEMENT

R. M. (Bob) Grimalla
Assistant Vice President-Environmental
(402) 271-4344

L. A. (Lanny) Schmid
Director Environmental Field Operations
(402) 271-2262

J. R. (Joel) Strafelda
Program Manager-Site Remediation
(402) 271-6572



Mailing Address:
Room 930
1416 Dodge Street
Omaha, NE 68179
Fax: (402) 271-4461

R. L. (Rick) Eades
Director Environmental Field Ops-North
(402) 661-6825

G. (Glenn) Thomas
Director Environmental Field Ops-South
(281) 350-7542

B. A. (Brock) Nelson
Director Environmental Field Ops-West
(916) 789-6370

January 8, 2001

File: Main Line Abandonment
Ellsworth Industrial Lead
Iowa

State Clearinghouse:

Mr. Steven R. McCann
Division for Community Progress
Iowa Department of Economic
Development
200 East Grand Avenue
Des Moines, IA 50309

State Environmental Protection Agency

Department of Natural Resources
Wallace State Conservation Service
693 Federal Building
210 Walnut Street
Des Moines, IA 50309

State Coastal Zone Management Agency

Not Applicable

Head of each County

Hamilton County Supervisors
2300 Superior Street
Webster City, Iowa 50595

**Environmental Protection Agency
(Regional Office)**

U. S. EPA, Region VII
901 North 5th Street
Kansas City, Kansas 66101

U.S. Fish and Wildlife

U.S. Fish and Wildlife Service
Region 3,
One Federal Drive
Federal Building
Fort Snelling, MN 55111

U.S. Army Corps of Engineers:

U.S. Army Engineer District, Rock
Island
P.O. Box 2004
Rock Island, IL 61204-2004

National Park Service

William D. Shaddox, Chief
Land Resources Division
National Park Service
800 Capitol Street, NE, Room 500
Washington, D.C. 20002

**U.S. Natural Resources Conservation
Service:**

Natural Resource Conservation Service
840 Brooks Road
Iowa Falls, IA 50126-8008

National Geodetic Survey

Edward J. McKay, Chief
Spatial Reference System Division
National Geodetic Survey
NOAA N/NGS
1315 East-West Highway
Silver Springs, MD 20910-3282

Other Agencies Consulted

State Historical Society of Iowa
Attn: Beth Foster, R&C Coordinator
600 East Locust Street
Des Moines, IA 50319-0290

RE: Proposed Abandonment of the Ellsworth Industrial Lead
from M.P. 0.0 near Jewell, Iowa to end of track at M.P.
3.2 at Ellsworth, Iowa

Dear Sirs:

Union Pacific Railroad Company plans to request authority from the Surface Transportation Board (STB) to abandon its Ellsworth Industrial Lead from M.P. 0.0 near Jewell, Iowa to M.P. 3.2 at Ellsworth, Iowa. A map of the proposed track abandonment shown in black is attached.

Pursuant to the STB's regulations at 49 C.F.R. Part 1152, and the environmental regulations at 49 C.F.R. Part 1105.7, this is to request your assistance in identifying any potential effects of this action as indicated in the paragraphs below. If any adverse environmental impacts are identified, describe any actions that are proposed in order to mitigate the environmental impacts. Please provide us with a written response that can be included in an Environmental Report, which will be sent to the STB.

LOCAL AND/OR REGIONAL PLANNING AGENCIES. State whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.

U.S. SOIL CONSERVATION SERVICE. State the effect of the proposed action on any prime agricultural land.

U.S. FISH AND WILDLIFE SERVICE (And State Game And Parks Commission, If Addressed). State (1) whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects, and, (2) whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

STATE WATER QUALITY OFFICIALS. State whether the proposed action is consistent with applicable Federal, State or Local water quality standards. Describe any inconsistencies.

U.S. ARMY CORPS OF ENGINEERS. State (1) whether permits under Section 404 of the Clean Water Act (33 U.S.C. § 1344) are required for the proposed action and (2) whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.

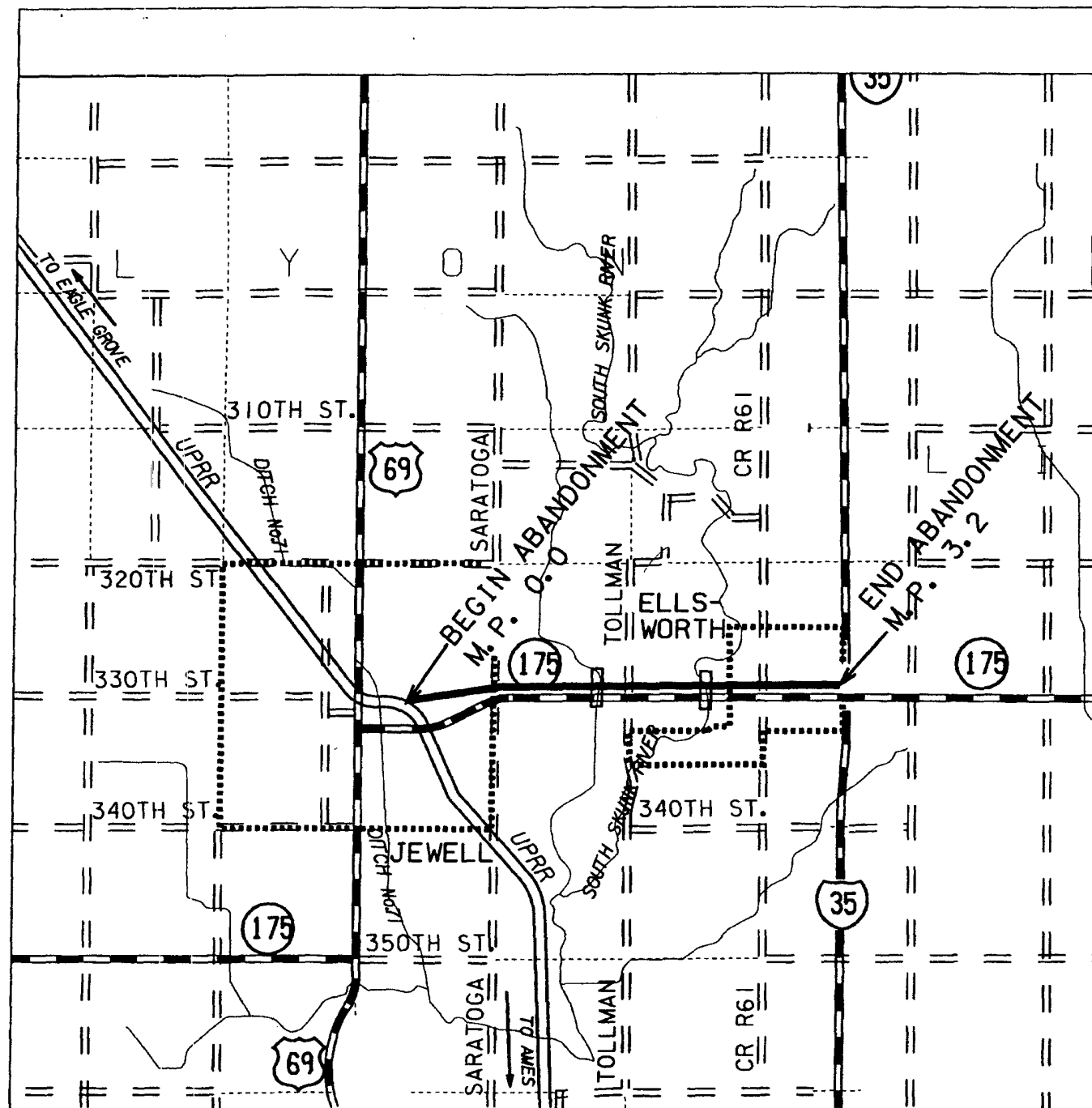
U.S. ENVIRONMENTAL PROTECTION AGENCY AND STATE ENVIRONMENTAL PROTECTION (OR EQUIVALENT AGENCY). (1) Identify any potential effects on the surrounding area, (2) identify the location of hazardous waste sites and known hazardous material spills on the right-of-way and list the types of hazardous materials involved, and (3) state whether permits under Section 402 of the Clean Water Act (33 U.S.C. § 1342) are required for the proposed action.

Thank you for your assistance. Please send your reply to Union Pacific Railroad, Mr. Chuck Saylor, 1416 Dodge Street, Room 830, Omaha, NE, 68179. If you need further information, please contact me at (402) 271-4078.

Yours truly,

Harry P. Patterson, P. E.
Manager Environmental Field Operations

Attachment



BRIDGE NO.	BRIDGE TYPE	SPAN LENGTH	DATE
1.56	TIMBER PILE TRESTLE (TST-00)	63'-7"	1941
2.39	DECK PLATE GIRDER (DPG-00)	225'-0"	1905

LEGEND

- RR LINES TO BE ABANDONED
- OTHER RR LINES
- 50+ YEAR OLD STRUCTURES
- PRINCIPAL HIGHWAYS
- OTHER ROADS

Ellsworth Industrial Lead
MP 0.0 TO MP 3.2
ELLSWORTH INDUSTRIAL LEAD A TOTAL OF 3.2 MILES
IN HAMILTON COUNTY, IOWA

STATION	MILE POST	AGENCY
JEWELL	0.0	NO
ELLSWORTH	2.5	NO

UNION PACIFIC RAILROAD CO.
ELLSWORTH INDUSTRIAL LEAD
INCL. 50+ YEAR OLD STRUCTURES

SCALE MILES

ab0222
26 DECEMBER 2000



September 20, 2005

State Clearinghouse (or alternate):

Mr. Steven R. McCann
Division for Community Progress
Iowa Department of Economic Development
200 East Grand Avenue
Des Moines, IA 50309

State Environmental Protection Agency:

Department of Natural Resources
Wallace State Conservation Service
693 Federal Building
210 Walnut Street
Des Moines, IA 50309

**State Coastal Zone Management Agency
(if applicable):**

Not applicable.

Head of each County:

Hamilton County Board of Supervisors
2300 Superior Street
County Courthouse
Webster City, IA 50595-3158

**Environmental Protection Agency
(regional office):**

U.S. Environmental Protection Agency
Region VII
901 North 5th Street
Kansas City, KS 66101

U.S. Fish and Wildlife:

U.S. Fish & Wildlife Service, Region 3
One Federal Drive
Federal Building
Fort Snelling, MN 55111

U.S. Army Corps of Engineers:

U.S. Army Engineer District, Rock Island
Clock Tower Building
P. O. Box 2004
Rock Island, IL 61204-2004

National Park Service:

William D. Shaddox
Chief, Land Resources Division
National Park Service
1849 "C" St., N. W., #MS3540
Washington, DC 20240

U.S. Natural Resources Conservation Service:

Natural Resource Conservation Service
693 Federal Bldg.
210 Walnut Street
Des Moines, IA 50309-2180

National Geodetic Survey:

National Geodetic Survey
Edward J. McKay, Chief
Spatial Reference System Division
NOAA N/NGS2
1315 E-W Highway
Silver Spring, MD 20910-3282

State Historic Preservation Office:

State Historical Society of Iowa
Attn: R&C Coordinator
600 East Locust Street
Des Moines, IA 50319-0290

Re: Proposed Abandonment of the Ellsworth Industrial Lead from Milepost 0.0 near Jewell to the end of the track at Milepost 3.2 at Ellsworth, a distance of 3.2 miles in Hamilton County, Iowa; STB Docket No. AB-33 (Sub-No. 175)

Dear Sirs:

On January 8, 2001 Union Pacific Railroad Company sent you a letter announcing its plans to request authority from the Surface Transportation Board (STB) to abandon the Ellsworth Industrial Lead from Milepost 0.0 near Jewell to the end of the track at Milepost 3.2 at Ellsworth, a distance of 3.2 miles in Hamilton County, Iowa. We did not pursue the proposed abandonment in 2001; however, Union Pacific is again planning to

Law Department

UNION PACIFIC RAILROAD
1400 Douglas St., Stop 1580, Omaha, NE 68179-1580
fx. (402) 501-0127

request authority from the STB to abandon the Ellsworth Industrial Lead. A map of the proposed track abandonment shown in black is attached.

Pursuant to the STB's regulations at 49 C.F.R. Part 1152, and the environmental regulations at 40 C.F. R. Part 1105.7, this is to request your assistance in identifying any potential effects of this action as indicated in the paragraphs below. We do not anticipate any adverse environmental impacts; however, if you identify any adverse environmental impacts, describe any actions that are proposed in order to mitigate the environmental impacts. Please provide us with a written response that can be included in an Environmental Report, which will be sent to the STB. Many of you responded to our 2001 request. If there are no changes in your response, we will use your 2001 response. If you prefer to respond again or change your response, we will use your current reply.

LOCAL AND/OR REGIONAL PLANNING AGENCIES. State whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.

U. S. SOIL CONSERVATION SERVICE. State the effect of the proposed action on any prime agricultural land.

U. S. FISH AND WILDLIFE SERVICE (And State Game And Parks Commission, If Addressed). State (1) whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects, and, (2) whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

STATE WATER QUALITY OFFICIALS. State whether the proposed action is consistent with applicable Federal, State or Local water quality standards. Describe any inconsistencies.

U. S. ARMY CORPS OF ENGINEERS. State (1) whether permits under Section 404 of the Clean Water Act (33 U.S. C. § 1344) are required for the proposed action and (2) whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.

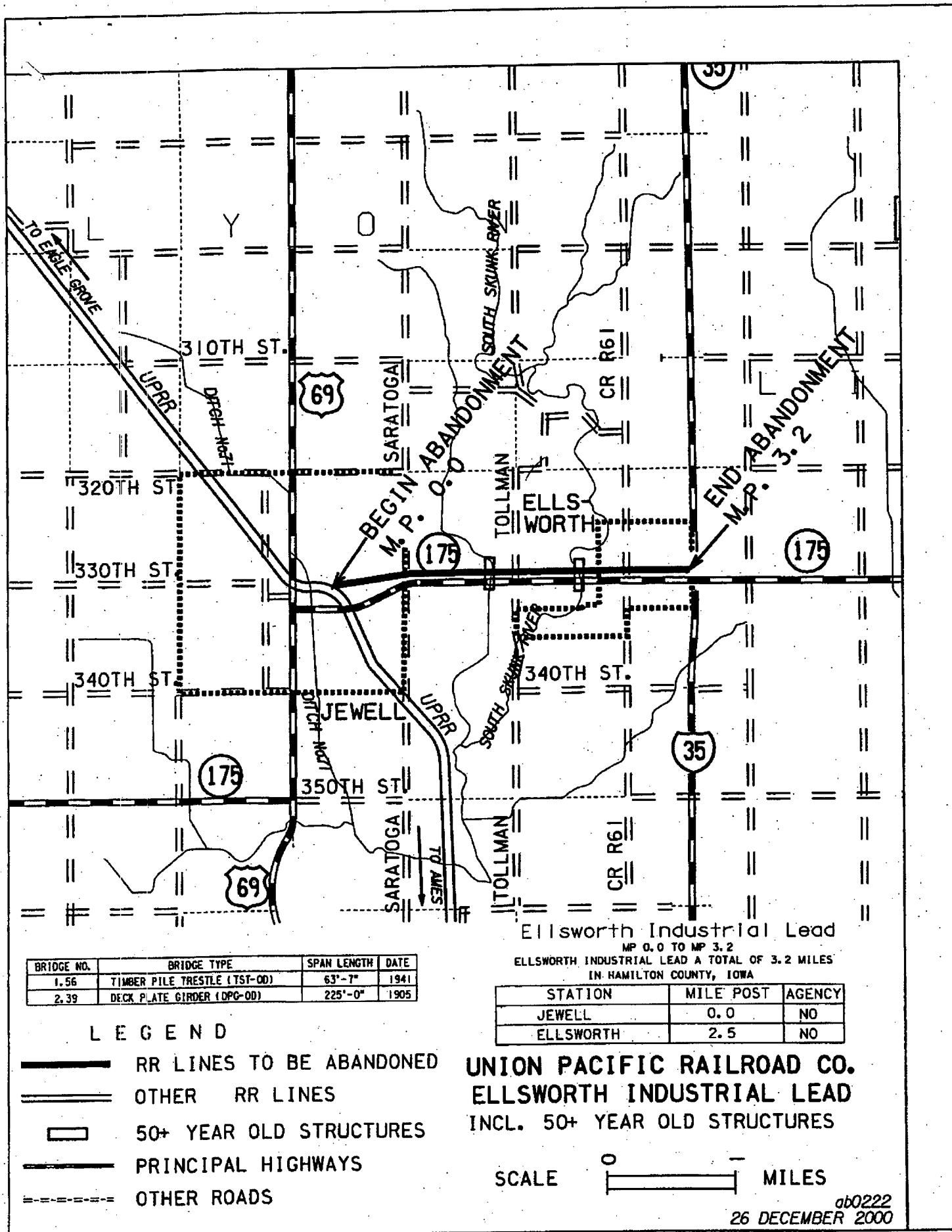
U. S. ENVIRONMENTAL PROTECTION AGENCY AND STATE ENVIRONMENTAL PROTECTION (OR EQUIVALENT AGENCY). (1) Identify any potential effects on the surrounding area, (2) identify the location of hazardous waste sites and known hazardous material spills on the right-of-way and list the types of hazardous materials involved, and (3) state whether permits under Section 402 of the Clean Water Act (33 U.S.C. § 1342) are required for the proposed action.

Thank you for your assistance. Please send your reply to Union Pacific Railroad, Mr. Chuck Saylor, 1400 Douglas Street, Mail Stop 1580, Omaha, NE, 68179. If you need further information, please contact me at (402) 544-4861.

Yours truly,


Charles W. Saylor

Attachment



Office of
HAMILTON COUNTY ENGINEER

PHONE (515) 832-9520

2300 SUPERIOR STREET
WEBSTER CITY, IOWA 50595-3197

FAX (515) 832-9525

24 January 2001

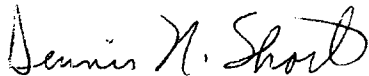
Mr. Chuck Saylor
Union Pacific Railroad
1416 Dodge Street, Room 830
Omaha, Nebraska 68179

File: Main Line Abandonment Ellsworth Industrial Lead Iowa

Dear Mr. Saylor:

On behalf of the Hamilton County Board of Supervisors, the purpose of this letter is to advise you that the above-referenced proposed track abandonment is not inconsistent with existing land use plans since Hamilton County doesn't have any land use plans. If you need further information, please contact me at (515) 832-9520.

Yours truly,



Dennis N. Short, P.E.
Hamilton County Engineer

cc: Hamilton County Board of Supervisors



STATE OF IOWA

THOMAS J. VILSACK, GOVERNOR
SALLY J. PEDERSON, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
JEFFREY R. VONK, DIRECTOR

October 3, 2005

Mr. Chuck Saylor
Union Pacific Railroad
1400 Douglas Street
Mail Stop 1580
Omaha, NE 68179

RE: Environmental Review for Natural Resources
RR abandonment, Ellsworth Industrial Lead, Jewell to Ellsworth, Hamilton County, IA

Dear Mr. Saylor:

Thank you for inviting our comments on the impact of the above referenced project. We have searched our records of the project area and found no site-specific records of rare species or significant natural communities that would be impacted by this project. However, our data are not the result of thorough field surveys. If listed species or rare communities are found during the planning or construction phases, additional studies and/or mitigation may be required.

This letter is a record of review for protected species, rare natural communities, state lands and waters in the project area, including review by personnel representing state parks, preserves, recreation areas, fisheries and wildlife but does not include any potential comment from the Environmental Services Division of this Department. This letter does not constitute a permit and before proceeding with this project, permits may be needed from this Department or from other state or federal agencies.

If you have any questions about this letter or if you require further information, please contact me at (515) 281-8967.

Sincerely,

A handwritten signature in black ink, reading "Keith L. Dohrmann", with a long horizontal line extending from the end of the signature.

KEITH L. DOHRMANN, ENVIRONMENTAL SPECIALIST
POLICY AND COORDINATION SECTION
CONSERVATION AND RECREATION DIVISION

FILE COPY: Keith L. Dohrmann

05-4087L.doc

WALLACE STATE OFFICE BUILDING / 502 EAST 9th STREET / DES MOINES, IOWA 50319
515-281-5918 TDD 515-242-5967 FAX 515-281-6794 www.iowadnr.com



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Bishop Henry Whipple Federal Building
1 Federal Drive
Fort Snelling, MN 55111-4056

IN REPLY REFER TO:

FWS/NWRS-RE - General

January 16, 2001

Mr. Chuck Saylor
Union Pacific Railroad
1416 Dodge Street
Room 830
Omaha, Nebraska 68179

Dear Mr. Saylor:

Thank you for the opportunity to comment on the proposed abandonment of the rail line near Jewell, Hamilton County, Iowa.

We have researched our ownership in the vicinity and have determined we do not own any lands or interests in land in the vicinity of the proposed rail line abandonment. We do not have any concerns regarding real estate matters in the abandonment.

Sincerely,

Patrick G. Carroll
Senior Realty Officer
Division of Realty

REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
ROCK ISLAND DISTRICT, CORPS OF ENGINEERS
CLOCK TOWER BUILDING - P.O. BOX 2004
ROCK ISLAND, ILLINOIS 61204-2004

January 19, 2001

Operations Division

SUBJECT: CEMVR-OD-P-403100

Mr. Harry P. Patterson, P.E.
Union Pacific Railroad Company
1416 Dodge Street, Room 930
Omaha, Nebraska 68179

Dear Mr. Petterson:

Our office reviewed your letter dated January 8, 2001, concerning the proposed abandonment of the Ellsworth Industrial Lead Section of railroad track between Jewell and Ellsworth in Hamilton, County, Iowa.

We determined your project as proposed does not require a Department of the Army (DA) Section 404 permit. Our office reviewed the information provided to us. No indication of discharge of dredged or fill material was found to occur in waters of the United States (including wetlands). Therefore, this determination resulted.

Should your project involve the extraction of any bridges, you are required to remove all fill material to an upland, non-wetland site, and to remove all pilings to at least one foot below streambed elevations. You are also required to seed all disturbed areas with native grasses and to implement appropriate measures to insure that sediments are not introduced into waters of the United States.

You are advised that this determination for your project is valid for five years from the date of this letter. If the project is not completed within this five-year period or your project plans change, you should contact our office for another determination.

Although a DA Section 404 permit is not required for the project as proposed, you must still acquire other applicable Federal, state, and local permits.

-2-

Should you have any questions, please contact our
Regulatory Branch by letter, or telephone me at
309/794-5367.

Sincerely,

A handwritten signature in dark ink, appearing to read "Michael D. Hayes". The signature is fluid and cursive, with the first name "Michael" and last name "Hayes" clearly legible, and "D." as a middle initial.

Michael D. Hayes
Project Manager
Enforcement Section

Copy Furnished:

Mr. Kelly Stone (2)
Iowa Department of Natural Resources
Flood Plain Section
Henry A. Wallace Building
900 East Grand Avenue
Des Moines, Iowa 50319-0034



November 28, 2005

State Historical Society of Iowa
Attn: R&C Coordinator
600 East Locust Street
Des Moines, IA 50319-

Re: Proposed Abandonment of the Ellsworth Industrial Lead from Milepost 0.0 to Milepost 3.20, a distance of 3.2 miles in Hamilton County, Iowa; STB Docket No. AB-33 (Sub-No. 175X)

Dear Sir:

Enclosed for your review are four photographs of each of the two bridges located on the Ellsworth Industrial Lead, which are over 50 years old along with a map of the proposed abandonment. The bridges are described as follows:

<u>Milepost</u>	<u>Description</u>	<u>Length</u>	<u>Year Constructed</u>
1.56	Timber Pile Trestle	63' 7"	1941
2.39	Deck Plate Girder	225' 0"	1905

Please advise if you believe there is historical significance to any of the bridges.
Thank you for your assistance.

Sincerely,

Charles W. Saylor
Charles W. Saylor
(402) 544-4861

Attachments

Law Department

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1400 Douglas St., Stop 1580, Omaha, NE 68179-1580
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